

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BECKLEY**

MATTHEW GIBSON,

Plaintiff,

v.

CIVIL ACTION NO. 5:21-cv-00181

LOUISE E. GOLDSTON, *individually*,  
and COUNTY COMMISSION  
OF RALEIGH COUNTY,  
*a political subdivision*,

Defendants.

**ORDER**

Pending is Defendant Louise Goldston's Motion to Stay Pending Appeal [Doc. 132], filed July 13, 2022. Plaintiff Matthew Gibson responded on July 14, 2022. [Doc. 134].


Mr. Gibson principally challenges the appeal as frivolous. It is not; that conclusion follows ineluctably from the six pages of discussion the Court devoted to its judicial immunity analysis. While Mr. Gibson also contends the heart of the appeal is a factual challenge not subject to interlocutory review, Defendant Goldston has nowhere disputed the underlying facts, which were taken in the light most favorable to Mr. Gibson. She disputed only the purely legal question of whether she was entitled to judicial immunity.

Accordingly, the Court **GRANTS** Defendant Goldston's Motion [**Doc. 134**] and **STAYS** all proceedings pending dismissal or issuance of the mandate.

The Clerk is directed to forward copies of this Order to the jury administrator and all counsel of record.

ENTER: July 14, 2022



  
Frank W. Volk  
United States District Judge